



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gilles Jourdin) PATENT APPLICATION
Serial No.: 10/057,406) VAL1599P0251US
Filed: January 23, 2002) Group Art Unit: 3727
For: DEVICE FOR FASTENING A) Confirmation No.: 1614
DISTRIBUTION COMPONENT)
ON A VESSEL NECK)
Examiner: James N. Smalley)

RESPONSE AND AMENDMENTS

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

INTRODUCTORY COMMENTS

This is a response to the non-final Official Action dated February 23, 2005.

PETITION FOR EXTENSION OF TIME

Enclosed is a Petition and a check for the fee for a two-month extension of time to respond.

TRANSMITTAL LETTER

An attached Transmittal Letter presents a fee calculation and authorizes a charge to a Deposit Account if required.

FEE FOR ADDITIONAL CLAIMS

Enclosed is a check for the fee for the presentation of additional claims.

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THE INTERVIEW

The courtesies extended by the Examiner to the applicant signatory attorney and applicant's supervisor, Mr. de Pous, during an interview on July 21, 2005 are gratefully acknowledged.

During the interview, Mr. de Pous displayed a specimen embodying features of the prior art U.S. Patent No. 5,642,908 (to Mascitelli) cited in the current outstanding Official Action, and Mr. de Pous displayed a specimen embodying the features of the prior art U.S. Patent No. 5,409,049 (to de Pous et al.) cited in a previous Official Action.

Mr. de Pous described how the Mascitelli patent teaches that the steps 20 are required to function as axial force-transferring members which allow the metal covering 5 to push on the steps 20, thereby forcing to force the sleeve 1 down on the bottle neck mouth piece flange 4 so that the sleeve lower part 1b elastically deforms and temporarily expands around the bottle neck flange 4 until the sleeve interior projections 16 pass alongside the flange 4, and then spring back underneath the undercut of the bottle neck flange 4. Only after the sleeve 1 has been pushed down all the way on the bottle does the metal covering 5 deform the projecting steps 20, so that the covering 5 can then move down past the steps 5 to the final position shown in FIG. 3 of Mascitelli.

Mr. de Pous also noted how the present invention allows (but does not require), inter alia, the inner retainer ring and outer lining collar to be assembled prior to installation on the vessel neck, and how the invention inner retainer ring skirt external ribs accommodate variations in, inter alia, the vertical height of a flange on the vessel neck.

The below-identified signatory attorney asserted the following: (1) the cited Smith patent is directed to a removable closure, not a non-removable installation system for a fluid distribution component (e.g., pump or valve) as set forth in the instant application claims; (2) the cited Mascitelli patent does not teach the use of external ribs on an inner retainer ring to create radial forces which (a) act radially across the retainer ring skirt between the surrounding lining collar and the interior vessel neck after installation on the container, and (b) act between the retainer ring skirt and the surrounding lining collar when the ring and the collar are assembled to hold the ring fully inside the collar prior to installation on the vessel neck; (3) Mascitelli discloses steps 20 which are tapered to be thicker at the top, and this is opposite from Smith's ribs 15 which are tapered to be thinner at the top; (4) the cited Smith patent teaches away from pre-installation radial forces between ribs on an internal ring and a surrounding collar to hold them together (rather, as stated in Smith, at column 1, line 45, and at column 2, lines 19-24, the hood (inner ring) 11 is held to the outer collar (shell) 12 by the inwardly turned lower edge flange 19 of the shell 12 to prevent separation prior to installation in the container); and (5) the cited Jourdin et al. patent does not disclose an inner retainer ring that has external ribs.

During the interview, applicant's attorney asserted that it was not proper to combine the non-analogous art Smith patent with either Mascitelli or Jourdin et al., and that in any event, pending independent claims 1 and 10 were not suggested by the prior art combinations made by the Examiner.

Further, applicant's attorney showed the Examiner new independent claims 14, 17, and 20 as now presented herein, and applicant's attorney asserted that those claims should be

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allowable.